

REMARKS/ARGUMENTS

In the Specification:

In the specification, the Abstract has been amended so as not to exceed 150 words.

In the Claims:

Claims 1-11 and 13-15 remain pending in the present application. Claim 12 has been canceled. Claims 1, 8 and 11 have been amended to more clearly describe the subject matter recited therein. The remaining claim amendments are directed solely to grammatical corrections.

Rejection of Claim 8 Under 35 U.S.C. § 112

The Examiner rejected claim 8 under 35 U.S.C. § 112, second paragraph as being indefinite. Applicant has amended claim 8 to recite that it is the liquid solvent, not the vessel assemblies, that is evaporated. As such, the Examiner's § 112 rejection is now moot and withdrawal thereof is respectfully requested.

Rejection of Claims 1, 5-7, 11, 12, 14 and 15 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 1, 5-7, 11, 12, 14 and 15 under 35 U.S.C. § 103(a) as being unpatentable over Neumeyer et al. (US 5,698,179) in view of Coe (US 6,102,871). As Applicant does not believe Neumeyer et al. (Neumeyer) in view of Coe to teach or suggest the subject matter of claims 1, 5-7, 11, 12, 14 and 15, the rejection is respectfully traversed.

It is recited in the rejected claims, and supported by the written description, that the assembly of the vessel extender and the collection vessel (i.e., the extended vessel assembly) remains intact during the dry down (evaporation) process. Only after evaporation is the extender vessel removed from the collection vessel. This allows for the filling of the extended vessel assembly with a liquid sample fraction having a volume greater than the volume of the collection vessel alone, and for subsequent evaporation of the liquid solvent portion thereof without having to transfer part of the sample fraction to another vessel.

Nothing in the combination of Neumeyer and Coe teaches or suggests an extended vessel assembly that may be subjected to an evaporation process after collection of a fraction sample therein. Neumeyer simply teaches that the process steps of collection, evaporation and re-solvation can be accomplished in a typical glass vessel. Coe teaches only a simple blood collection funnel having two or more downwardly-extending spouts for facilitating the collection of blood into a corresponding number of common test tubes. The spouts are simply inserted into the open ends of the test tubes. Coe makes absolutely no mention of an evaporation process, nor is there any teaching or suggestion of subjecting the combined funnel/test tube assembly to any kind of process. In fact, as soon as the sample (blood) is collected in the test tubes of Coe, the funnel is detached therefrom.

Coe also lacks any actual teaching with respect to *securing* the funnel to the test tubes. Coe describes only that the ends of the funnels may be inserted into the test tubes and held in place by friction. Thus, in contrast to the secure attachment of the vessel extender to the collection vessel that occurs in the present invention, the funnel-

to-test tube attachment of Coe appears to be quite insecure. The insecurity of this attachment arrangement is likely to be exacerbated if the assembly is subjected to heat, such as would be the case with an evaporation process, because the funnel and test tubes appear to be made of dissimilar materials and would, therefore, have different coefficients of thermal expansion.

Therefore, it can be understood from the foregoing remarks that there are substantial differences between the combined teachings of Neumeyer and Coe and the subject matter of the rejected claims. As such, Applicant respectfully asserts that the combination of Neumeyer and Coe cannot support a rejection of claims 1, 5-7, 11, 12, 14 and 15 under 35 U.S.C. § 103(a).

Rejection of Claims 2 and 8-10 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 2 and 8-10 under 35 U.S.C. § 103(a) as being unpatentable over Neumeyer et al. in view of Coe and further in view of Natelson (US 3,635,394). As described above, Applicant believes independent claim 1 to recite allowable subject matter. Consequently, claims 2 and 8-10, which depend therefrom, would also be allowable.

Rejection of Claims 3 and 13 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 3 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Neumeyer et al. in view of Coe and further in view of Marshall et al. (US 4,209,611). As described above, Applicant believes independent claims 1 and 11 to recite allowable subject matter. Consequently, claims 3 and 13, which depend therefrom, would also be allowable.

Rejection of Claim 4 Under 35 U.S.C. § 103(a)

The Examiner rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Neumeyer et al. in view of Coe and further in view of Nova et al. (US 5,961,923). As described above, Applicant believes independent claim 1 to recite allowable subject matter. Consequently, claim 4, which depends therefrom, would also be allowable.

CONCLUSION

Applicant has amended claims 1, 3-8, 11 and 13, and has canceled claim 12. Applicant has also distinguished the subject matter of the present invention over the teachings of the references cited as prior art by the Examiner.

Therefore, Applicant respectfully submits that the present application is now in condition for allowance, and such action is earnestly requested. Telephone inquiry to the undersigned in order to clarify or otherwise expedite prosecution of the present application is respectfully encouraged.

Respectfully submitted,

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